

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:08CR736 CDP
	)	
DONALD GIAMMANCO,	)	
	)	
Defendant.	)	

**ORDER**


The defendant has requested a continuance of the trial in this case. I find, pursuant to 18 U.S.C. §3161(h)(8), that the ends of justice served by such a continuance outweigh the best interest of the public and the defendant in a speedy trial, and that therefore any time elapsed is excludable time under the Speedy Trial Act. In particular, for the reasons stated by the defendant, it is unreasonable to expect counsel to have adequate time for effective preparation for trial within the time limits imposed by the Act, even taking into account counsels' exercise of due diligence. Additionally, counsel for the government agrees that granting a continuance is in the interests of justice.

Accordingly,

**IT IS HEREBY ORDERED** that defendant Donald Giammanco's motion to continue the March 30, 2009 jury trial [#19] is GRANTED.

**IT IS FURTHER ORDERED** that the jury trial in this matter as to

defendant Donald Giammanco is reset to **Monday, May 4, 2009 at 9:00 a.m.**

  
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CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 23rd day of March, 2009.